

**ORIGINAL**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

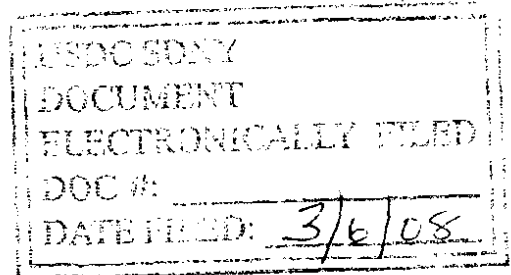
CENTURY INDEMNITY COMPANY, as successor  
to CCI Insurance Company, successor to Insurance  
Company of North America; ACE PROPERTY &  
CASUALTY INSURANCE COMPANY (f/k/a  
CIGNA Property & Casualty Insurance Company) on  
behalf of Central National Insurance Company of  
Omaha, but only as respects policies issued by it  
through Cravens, Dargan & Company, Pacific Coast,  
and WESTCHESTER FIRE INSURANCE  
COMPANY (i) on behalf of TIG Insurance Company,  
as successor to International Insurance Company, and  
(ii) with respect to certain policies allegedly issued by  
U.S. Fire Insurance Company,

Plaintiffs,

vs.

ROYAL INSURANCE COMPANY OF AMERICA  
as successor in interest to Phoenix Assurance Company  
of New York,

Defendant.



No. 1:07 Civ. 10713 (LLS/GWG)

**STIPULATION AND ORDER  
DISMISSING THE  
COMPLAINT WITHOUT  
PREJUDICE PURSUANT TO  
RULE 41 OF THE FEDERAL  
RULES OF CIVIL  
PROCEDURE**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel for all parties hereto, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure,  
that the above-captioned case is dismissed, without prejudice and with each party to bear its own


costs, if any. It is further stipulated and agreed by and between the undersigned counsel for the parties that this dismissal shall not operate as an adjudication upon the merits.

Crowell & Moring LLP  
153 East 53<sup>rd</sup> Street, 31<sup>st</sup> Floor  
New York, NY 10022  
Tel: (212) 223 4000  
Fax: (212) 223 4134

By:   
Frank M. Esposito (FE2558)

Attorneys for Plaintiffs

Day Pitney LLP  
242 Trumbull Street  
Hartford, CT 06103  
Tel: (860) 275 0100  
Fax: (860) 275 0343

By:   
Daniel L. Fitzmaurice (DF6096)

Attorneys for Defendant

SO ORDERED:

  
Louis L. Stanton, U.S.D.J.

3/6/08